



General Assembly

January Session, 2005

**Committee Bill No. 5725**

LCO No. 3272

\*03272HB05725JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

**AN ACT CONCERNING THEFT OF SERVICES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (7) of section 53a-119 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2005*):

4 (7) Theft of services. A person is guilty of theft of services when: (A)  
5 With intent to avoid payment for restaurant services rendered, or for  
6 services rendered to him as a transient guest at a hotel, motel, inn,  
7 tourist cabin, rooming house or comparable establishment, he avoids  
8 such payment by unjustifiable failure or refusal to pay, by stealth, or  
9 by any misrepresentation of fact which he knows to be false; or (B) (i)  
10 with intent to obtain railroad, subway, bus, air, taxi or any other public  
11 transportation service without payment of the lawful charge therefor  
12 or to avoid payment of the lawful charge for such transportation  
13 service which has been rendered to him, he obtains such service or  
14 avoids payment therefor by force, intimidation, stealth, deception or  
15 mechanical tampering, or by unjustifiable failure or refusal to pay, or  
16 (ii) with intent to obtain the use of equipment, including a motor  
17 vehicle, without payment of the lawful charge therefor, or to avoid

18 payment of the lawful charge for such use which has been permitted  
 19 him, he obtains such use or avoids such payment therefor by means of  
 20 any false or fraudulent representation, fraudulent concealment, false  
 21 pretense or personation, trick, artifice or device, including, but not  
 22 limited to, a false representation as to his name, residence,  
 23 employment, or driver's license; or (C) obtaining or having control  
 24 over labor in the employ of another person, or of business, commercial  
 25 or industrial equipment or facilities of another person, knowing that he  
 26 is not entitled to the use thereof, and with intent to derive a  
 27 commercial or other substantial benefit for himself or a third person,  
 28 he uses or diverts to the use of himself or a third person such labor,  
 29 equipment or facilities; or (D) after renting or leasing personal  
 30 property under an agreement in writing that provides for the return of  
 31 such property to a particular place at a particular time, other than  
 32 personal property that is rented or leased under chapter 743i, such  
 33 person, with intent to obtain the use of such property without payment  
 34 of the lawful charge for such use or to avoid payment of the lawful  
 35 charge for the use of such property that has been permitted such  
 36 person, fails to return such property to the agreed place or to any other  
 37 place of business of the lessor within forty-eight hours after the lessor  
 38 sends a written demand to such person for the return of the property  
 39 by registered or certified mail addressed to such person at such  
 40 person's address as shown in the written agreement, unless a more  
 41 recent address is known to the lessor.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2005	53a-119(7)
-----------	-----------------	------------

**Statement of Purpose:**

To reduce a significant economic burden on rental store owners by providing that the failure to timely return rental property constitutes theft of services under the larceny statutes.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. MUSHINSKY, 85th Dist.; SEN. FINCH, 22nd Dist.